

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application:

Zheng Jason Geng

Application No.: 10/769,393**Filed:** January 30, 2004**Title:** "A Novel Three-Dimensional Ear Biometrics Technique For Improving the Performance of Video-Based Surveillance and Human Identification Systems in Protecting Highly Secured Facilities"**Confirmation No.:** 8204**Examiner:** WU, Jingge**Group Art Unit:** 2642

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.97(E)**Sir:**

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form 1449 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in an International Search Report issued November 8, 2004, during the prosecution of international application number PCT/US2004/02835, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form 1449, and a copy of the International Search Report and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed per se as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

The undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in accordance with 37 CFR 1.704(d),

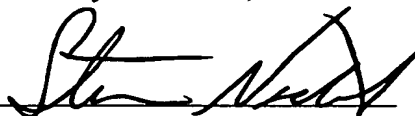
Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-0013, under our reference number 40169-0059. A duplicate copy of this paper is enclosed.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under our reference number 40169-0059 from which the undersigned is authorized to draw.

Dated: November 18, 2004

Respectfully submitted,

By: 

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Serial No.: 10/769,393

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Video-Based Surveillance and Human Identification
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Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- ☒ under 37 CFR 1.97 (c) together with either a:
☒ Statement under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97 (d) together with a:
☐ Statement under 37 CFR 1.97(e)(1) or (2), and
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account the sum of **\$0.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **18-0013** pursuant to 37 CFR 1.25.

☒ Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

OR

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Express Mail Label No.: _____

Date of Deposit: November 18, 2004

Signature: Brian J. Riddle
Typed Name: Brian J. Riddle

Respectfully submitted,

By: Steven L. Nichols

Steven L. Nichols (Reg. No.: 40,326)
Attorney/Agent for Applicant(s)

Telephone No.: (801) 572-8066
Date: November 18, 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/769,393
				Filing Date	January 30, 2004
				First Named Inventor	Zheng Jason Geng
				Art Unit	2642
				Examiner Name	WU, Jingge
Sheet	1	of	1	Attorney Docket Number	40169-0059

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Mark Burge and Wilhelm Burger, "Ear Biometrics in Computer Vision," IEEE, Pattern Recognition, 2000. Proceedings. 15th International Conference. 3-7 Sept. 2000. pgs. 822-826	
		B. Victor, K. Bowyer, S. Sarkar, "An Evaluation of Face and Ear Biometrics." IEEE Pattern Recognition, 2002. 16th International Conference. 11-15 Aug. 2003. pgs. 429-432	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.